



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/050,060	01/31/94	ROBISON	D PHASED/086410

D3M1/0517

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CINTIN:EXAMINER

ART UNIT	PAPER NUMBER
1303	13

DATE MAILED:
05/17/95

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The communications filed on February 24, 1995 and April 21, 1995 are not deemed to be responsive to the office action dated September 21, 1994 because these communications fail to comply with the requirements of 37 CFR 1.111(b). 37 CFR 1.111(b) states:

"In order to be entitled to reconsideration or further examination, the applicant or patent owner must make request therefor in writing. The reply by the applicant or patent owner must distinctly and specifically point out the supposed errors in the examiner's action and must respond to every ground of objection and rejection in the prior Office action. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a bona fide attempt to advance the case to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section."

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The Office Action dated September 21, 1994 contains: (1) a rejection of claim 10 under 35 U.S.C. § 112, second paragraph, as being indefinite in that the term "selected from" was held to be improper Markush language; (2) a rejection of claims 1, 2, 9, 11-13, 15, 16, 18, 19, 22 and 23 under 35 U.S.C. § 102(b) as being clearly anticipated by Teng et al. (U.S. Patent No. 3,915,855); (3) a rejection of claims 3, 4 and 17 under 35 U.S.C. § 103 as being unpatentable over Teng et al. (U.S. Patent No. 3,915,855); and (4) a rejection of claims 14, 20 and 21 under 35 U.S.C. § 103 as being unpatentable over Teng (U.S. Patent No. 3,788,984) in view of Fahlvik. The communications filed on February 24, 1995 and April 21, 1995 fail to address any of the above noted rejections; and therefore, neither of these communications is deemed to be fully responsive to the Office Action dated September 21, 1994. In fact, neither of these communications even mentions either the Teng '855 or Fahlvik references.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is the longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION MAY BE EXTENDED UP TO A MAXIMUM OF SIX MONTHS.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins

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whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Thursday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Stanley Silverman, can be reached on (703) 308-3837. The fax phone number for this Group is (703) 305-3602.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.

Ivars Cintins
Ivars C. Cintins
Primary Examiner
Art Unit 1308

I. Cintins
May 16, 1995